

FILED

DONALD ANSON 12332-055 2007 JUN -4 PM 2:52 ET # 1:07-CV-0035

V.

UNITED STATES OF AMERICA

U.S. DISTRICT COURT
W.D.N.Y. - BUFFALO

MOTION FOR CHANGE

OF JUDGE / VENUE

THE PLAINTIFF RESPECTFULLY MOVES THE COURT TO
CHANGE/REPLACE THE JUDGE, JUDGE SIRAGUSA, AND
MOVE THIS CASE TO THE BUFFALO DISTRICT COURT.

THIS REQUEST IS MADE FOR THE FOLLOWING REASONS:

- ① THE U.S. MARSHALS, WHO'S ACTIONS AND OR INACTIONS
LED TO THE INJURY ON WHICH THIS CLAIM IS BASED,
WORKED AT THE ROCHESTER FEDERAL COURTHOUSE AT
THE TIME OF THE INCIDENT, AND FOR SOME TIME PRIOR TO IT.
- ② THE U.S. MARSHALS WERE/ARE KNOWN TO JUDGE
SIRAGUSA THROUGH THEIR BEING STATIONED AT THE
ROCHESTER COURTHOUSE AND THEIR FREQUENT INTER-
ACTION WITH JUDGE SIRAGUSA DURING THE COARSE OF
THEIR DUTIES, AND TO OTHER ROCHESTER COURT PERSONEL.
- ③ JUDGE SIRAGUSA RECENTLY PRESIDED OVER MY CRIMINAL
TRIAL, THE DIRECT APPEALS OF WHICH ARE NOW PENDING.
THOSE APPEAL WILL BE QUESTIONING JUDGE SIRAGUSA'S
RULINGS AND ACTIONS, AND POSSIBLY, HIS BIAS. IN THAT CASE.
- ④ DURING THE PRE-TRIAL + POST TRIAL PORTIONS OF MY
TRIAL JUDGE SIRAGUSA AND I HAD SEVERAL HEATED
EXCHANGES, AND I, THE PLAINTIFF, FEEL THERE IS
A GREAT DEAL OF ANIMOSITY BETWEEN US.

⑤ AT SENTENCING JUDGE SIRAGUSA MADE COMMENTS THAT SHOWED HE MAY HAVE BEEN BIAS. SUCH COMMENTS INCLUDED HIS CALLING ME A DANGER TO THE COMMUNITY, AND ATTRIBUTING ACTIONS OF A 'GROUP' OR 'CLASS' OF PEOPLE TO ME WHEN NO SUCH FINDINGS, OR ACCUSATIONS WERE FOUND BY THE JURY OR PRESENTED IN THAT CASE.

FOR THESE REASONS THE PLAINTIFF FEELS THAT THE ROCHESTER DISTRICT COURT WOULD NOT BE A FAIR VENUE FOR THIS CASE AND ASKES IT BE MOVED TO THE BUFFALO DISTRICT COURT WHERE THE CASE WAS ORIGINALLY FILED.

THE DEFENDANT ALSO ASKS FOR A CHANGE IN JUDGES.

RESPECTFULLY ASKED BY
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